

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 23558-0017

Applicant(s): James Langham DALE et al. Confirmation No.: 4029  
App. No.: 10/521,571 Group Art Unit: 1645  
Filing Date: January 18, 2005 Examiner: Unassigned  
Title: TRANSCRIPTIONAL CONTROL ELEMENT, CHIMERIC AND USESES  
THEREFOR

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56 and 37 CFR §1.97**

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Sir:

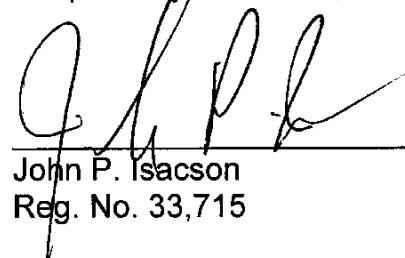
Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

Applicants believe that the instant Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits under 37 CFR §1.97(b)(3), therefore, no fee is required in connection with its filing.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,



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December 6, 2006  
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ATTY DOCKET NO.  
**23558-0017**APP. NO.  
**10/521,571**APPLICANT(S)  
**James Langham DALE et al.**Date Submitted: **December 6, 2006**FILING DATE  
**January 18, 2005**GROUP  
**1645**

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE (M/D/Y)	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE (M/D/Y)	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO
	C01	WO 99/00492	1/7/99	WIPO				
	C02	WO 99/09190	2/25/99	WIPO				

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

C03	Bhattacharyya-Pakrasi et al.	The Plant Journal 4(1): 71-79 (1993)
C04	Harper et al.	Virus Genes 17(3): 271-278 (1998)
C05	James et al.	J. Gen. Virol. 21: 145-153 (1973)
C06	Klöti et al.	Plant Molecular Biology 40: 249-266 (1999)
C07	Medberry et al.	The Plant Cell 4: 185-192 (1992)
C08	Schenk et al.	Plant Molecular Biology 39: 1221-1230 (1999)
C09	Tzafrir et al.	Plant Molecular Biology 38: 347-356 (1998)
C10	Yang et al.	Plant Cell Rep 21: 1199-1206 (2003)
C11	Yang et al.	Arch Virol 148: 937-949 (2003)
C12	Yang et al.	Arch Virol 148: 1957-1968 (2003)

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.